

Kingstown Harbour Roads Transfer Bill.

ARRANGEMENT OF CLAUSES.

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SCHEDULES.

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TO

Transfer to the Commissioners of the Township of A.D. 1897.
Kingstown certain Roads and Lands now vested in
the Commissioners of Kingstown Harbour; and for
other purposes.

WHEREAS the harbour of Kingstown, near Dublin, is 32 & 33 Vict.
c. cxxxiii.
maintained out of money provided by Parliament, and is,
by virtue of various Acts of Parliament, under the control and
management of Commissioners called the Commissioners of
Kingstown Harbour, appointed by the Lord Lieutenant :

And whereas the Commissioners of the Township of Kingstown,
incorporated by that name by the Township of Kingstown Act,
1869, are the urban sanitary authority of the urban sanitary
district consisting of the township of Kingstown :

And whereas the roads and footways, and portions of roads and
footways, specified and described in the First Schedule to this Act,
and situate within the said urban sanitary district, are the property
of the Commissioners of Kingstown Harbour, and are managed and
maintained by them :

And whereas it is expedient that the property in and manage-
ment of the said roads and footways, and portions of roads and
footways, should be transferred to and vested in the said Commis-
sioners of the Township of Kingstown, subject nevertheless to the
exceptions and conditions in this Act set forth :

And whereas the hereditaments specified and described in the
Second Schedule to this Act are also situate within the said
urban sanitary district, and are vested in the Commissioners of
Kingstown Harbour :

And whereas it is expedient that the hereditaments specified
and described in the Second Schedule to this Act should also be
transferred to and vested in the said Commissioners of the Township
of Kingstown for all the estate of the Commissioners of Kingstown

[Bill 156.]

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A.D. 1897. Harbour therein, subject nevertheless to the exceptions and conditions in this Act set forth :

And whereas the strips of ground numbered 2 in the Second Schedule hereto are transferred to the Commissioners of the Township of Kingstown, in order to enable them to lay down and complete a road and footpath between Crofton Road and the road at the railway crossing at the end of the West Pier of Kingstown Harbour :

And whereas it is also expedient that such further and other powers and provisions as are herein-after contained should be conferred and made :

And whereas the purposes aforesaid cannot be effected without the authority of Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows (that is to say) :—

Short title. 1. This Act may be cited as the Kingstown Township (Transfer of Harbour Roads) Act, 1897.

This Act and Kingstown Improvement Act, 1861, to be construed together. 24 & 25 Vict. c. cxxiii. 2. This Act and the Kingstown Improvement Act, 1861, and the several Acts and parts of Acts incorporated therewith shall, so far as not expressly varied by this Act, be read and construed together as one Act.

Definitions. 3. In the construction of this Act the following expressions shall have the meanings hereby respectively assigned to them unless there is something in the context repugnant thereto (that is to say) :—

"The Harbour Commissioners" means the Commissioners of Kingstown Harbour.

"The Town Commissioners" means the Commissioners of the Township of Kingstown.

Transfer of roads. 4. As from the passing of this Act the roads and footways, and portions of roads and footways, specified and described in the First Schedule to this Act, in this Act referred to as the transferred roads and footways, and all the property, jurisdiction, power, and authority of the Harbour Commissioners therein, shall be transferred from the Harbour Commissioners to and vested in the Town Commissioners, and subject to the provisions contained in this Act the Town Commissioners shall have, and may exercise, all the powers, rights, privileges, and obligations, which are conferred on, or may be

exercised or enforced by the Town Commissioners, with respect to the other roads or streets within the township of Kingstown. A.D. 1897.

5 5. Provided always that the Harbour Commissioners may, at all times, by themselves, their agents, servants, and workmen, pass over and use for any purpose connected with Kingstown Harbour so much of the tramways connecting the east and west piers of the said harbour with the quarries at Dalkey as cross over and pass along the road numbered 2 in the First Schedule of this Act, and the Harbour Commissioners may maintain and improve the said 10 portion of tramway, and for such purpose may place materials on such road, and break up the same: Provided that (a) any work for the purpose of the maintenance and improvement of the said portion of the tramway shall be executed to the reasonable satisfaction of the Town Commissioners, or, in case of difference, of a 15 surveyor to be selected by the Local Government Board; and (b) every such work shall be executed so as to cause as little interruption of traffic or inconvenience to the Town Commissioners as circumstances will admit.

Right of the Harbour Commissioners to use tramway.

20 6. The expenses of maintaining, repairing, lighting, and watering the transferred roads and footways shall be defrayed by the Town Commissioners out of the rates leviable by them as the Commissioners of the township of Kingstown, and applicable to the purposes of maintaining, repairing, lighting, and watering the other roads within the said township.

Expenses of maintaining the transferred roads.

25 7. As from the passing of this Act the plots of ground described in the Second Schedule to this Act shall be transferred to and vested in the Town Commissioners for all the estate and interest which the Harbour Commissioners have therein respectively.

Vesting of lands in Town Commissioners.

30 8. If the Town Commissioners fail to lay down and complete to the satisfaction of the engineer of the Harbour Commissioners, within the term of seven years from the passing of this Act, a road and footpaths between Crofton Road and the road at the railway crossing at the shore end of the west pier of Kingstown Harbour, the High Court shall, upon the application of the Harbour Commissioners made by summary petition to the Chancery Division 35 of that court within two years after the expiration of the said term of seven years, and on proof of the failure, make an order vesting in the Harbour Commissioners the strips of ground numbered 2 in the Second Schedule to this Act, and those strips of 40 ground shall vest in the Harbour Commissioners by virtue of the order without any conveyance or assignment.

Transfer of land in a certain event.

A.D. 1897.

Limitation
of building
powers.

9. The Town Commissioners shall not, without the previous consent in writing of the Harbour Commissioners, erect or place on the plots of land numbered 1 in the Second Schedule to this Act any building or buildings, and on obtaining such consent shall further obtain the approval in writing of the Harbour Commis- 5 sioners to the plans and specifications of any such intended building or buildings, and make and erect the same in such manner as shall be so approved.

SCHEDULES.

A.D. 1897.

THE FIRST SCHEDULE.

1. The road known as Crofton Road, 388 yards or thereabouts in length, measured from its junction with the Royal Marine Road.
- 5 2. The road known as the Harbour Road (upper level), 595 yards or thereabouts in length, measured from its junction with the said Crofton Road, including therein the sloping bank to the southern edge of the Harbour Road (lower level), excepting thereout the piece or plot of ground constituting the site of the Obelisk erected to commemorate the embarkation of His late Majesty King
- 10 George the Fourth from Ireland, that is to say, a strip of land extending east and west six yards or thereabouts on each side of such Obelisk, measured from the centre thereof, and extending north and south from the said Harbour Road (upper level), to the Harbour Road (lower level), together with full liberty of ingress, egress, and regress to the said site at all times and for all purposes
- 15 to the Harbour Commissioners, their agents, servants, and workmen, with or without horses, carts, or other vehicles, laden or unladen.
3. Portion of the road known as the Royal Marine Road, 72 yards or thereabouts in length, measured from its junction with the said Harbour Road.
- 20 4. The portion of the road opposite Crofton Terrace, commencing at a point on the north side of the said road, 58 yards or thereabouts west of the centre of the coal quay bridge, and terminating at a point on the north side of the said road, 128 yards or thereabouts east of the centre of the said coal quay bridge.

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THE SECOND SCHEDULE.

1. Two plots of ground between the Victoria Baths and the shore end of the eastern pier of Kingstown Harbour, on the north side of the Harbour Road, containing together thirty-five perches or thereabouts, statute measure.
2. The strips of land on the south side of the Dublin, Wicklow, and Wexford
- 30 Railway, so far as the same are the property of the Harbour Commissioners, between the west end of the Crofton Road and the railway level crossing at the shore end of the west pier of Kingstown Harbour, containing altogether about three roods and thirty perches, statute measure.

Kingstown Harbour
Roads Transfer.

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B I L L

To transfer to the Commissioners of the
Township of Kingstown certain Roads
and Lands now vested in the Com-
missioners of Kingstown Harbour,
and for other purposes.

*(Prepared and brought in by
Mr. Stansbury and
Mr. Chancellor of the Exchequer.)*

*Ordered, by The House of Commons, to be Printed,
10 March 1868.*

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